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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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10 RUDOLFO JOSE MEDINA,)

C 07-6388 MMC(PR)

11 Petitioner,)

ORDER OF TRANSFER

12 vs.)

13 COUNTY OF SOLANO,)

14 Respondent.)
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16 On December 17, 2007, petitioner, a California prisoner incarcerated at North Kern
17 State Prison and proceeding pro se, filed the above-titled petition for a writ of habeas corpus
18 pursuant to 28 U.S.C. § 2254. He challenges a conviction obtained in the Superior Court of
19 Solano County.

20 Pursuant to 28 U.S.C. § 2241(d), venue for a habeas action is proper in either the
21 district of confinement or the district of conviction. See 28 U.S.C. § 2241(d). In the instant
22 action, neither the district of confinement nor the district of conviction is located within the
23 venue of the Northern District of California. North Kern State Prison, where petitioner is
24 confined, is in Kern County, which is located within the venue of the Eastern District of
25 California. See 28 U.S.C. § 84(b). Solano County, where petitioner was convicted, also is
26 located within the venue of the Eastern District of California. See id.


27 When venue is improper, the district court has the discretion to either dismiss the
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1 action or transfer it “in the interest of justice.” See 28 U.S.C. § 1406(a). Accordingly, in the
2 interest of justice, the above-titled action is hereby TRANSFERRED to the United States
3 District Court for the Eastern District of California.

4 The Clerk shall close the file.

5 IT IS SO ORDERED.

6 DATED: January 2, 2008

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8 MAXINE M. CHESNEY
United States District Judge